

UNITED STATES DISTRICT COURT

Mar 15, 2023

SEAN F. MCAVOY, CLERK

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 1:23-PO-08011-ACE-1

Plaintiff,

ORDER MODIFYING PARTIAL
REIMBURSEMENT OF
ATTORNEY FEES BY
DEFENDANT

v.

SHAWN S PARKER,

ECF No. 12

Defendant.

On Friday, February 17, 2023, the Court appointed counsel, ECF No. 11, and directed Defendant to remit \$500.00 (five hundred U.S. dollars) as partial payment for attorney fees by April 21, 2023, ECF No. 12. While Defendant subsequently retained private counsel, ECF No. 13, it has come to the Court's attention that court-appointed attorney Kenneth Therrien had already begun to work on Defendant's case.¹ The Court therefore finds it appropriate for Defendant

¹ This Court retains the ability, should it conclude Defendant's representations in his Financial Declaration (ECF No. 5) were false or misleading, to institute contempt proceedings under Federal Rule of Criminal Procedure 42(a). *See United States v. Glass*, 361 F.3d 580 (9th Cir. 2004) The submissions of the parties, particularly in the area of financial declarations, must be accurate and complete. In the determination of whether a false or misleading statement was intentionally made, this Court would consider the individual's familiarity with the criminal justice system, in particular the Petty Offense

1 to reimburse Mr. Therrien's work, to the extent that such remittance does not
2 exceed \$500.00 (five hundred U.S. dollars).

3 Accordingly, **IT IS ORDERED:**

4 1. This Court's prior Order Directing Partial Reimbursement of Attorney
5 Fees (**ECF No. 12**) is **STRICKEN**.

6 2. **Defendant shall pay the Clerk of the Court \$ \$328.00 (three**
7 **hundred and twenty-eight U.S. dollars) as partial repayment of attorney fees.**

8 **Payment is due by April 21, 2023**, and shall be mailed or delivered to:

9 Clerk of the Court
10 Re: Case # 1:23-PO-08011-ACE-1
11 Thomas Foley Courthouse
12 PO Box 1493
13 920 W Riverside Ave
14 Spokane, WA 99210-149

13 **IT IS SO ORDERED.**

14 DATED March 15, 2023.



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The signature of Alexander C. Ekstrom is written in blue ink. It is a cursive signature that reads "Alexander C. Ekstrom".

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE

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Docket. As well, the Court would consider whether the individual had filled out the same or similar declarations in the past, and whether they requested counsel in prior hearings and/or whether they had previously retained counsel in this or similar proceedings.